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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,606	12/22/2003	Gary Douglas Chapman	GB920020080US1	7562
23550	7590	11/24/2006	EXAMINER	
HOFFMAN WARNICK & D'ALESSANDRO, LLC 75 STATE STREET 14TH FLOOR ALBANY, NY 12207			PANTOLIANO JR, RICHARD	
		ART UNIT	PAPER NUMBER	
			2194	

DATE MAILED: 11/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/743,606	CHAPMAN, GARY DOUGLAS	
	Examiner Richard Pantoliano Jr	Art Unit 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 December 2003.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 13 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-13 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 07 June 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is the initial office action for Application# **10/743, 606** filed on **22 December 2003**. **Claims 1-13** are currently pending and have been considered below.

Claim Objections

2. **Claim 13** is objected to because of the following informalities: the phrase "...performing the steps of any one of claim 1..." implies that multiple claims should be listed as possibilities, rather than just the one claim listed. It appears that Applicant intended to use the phrasing "...performing *any one* of the steps of claim 1...".
3. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-13** are rejected under 35 U.S.C. 102(b) as being anticipated by Hennum et al (US Pat: 6,259,445).

6. As per **Claim 1**, Hennum et al discloses the invention substantially as claimed including a method for generating a tutorial application linked to one or more source code elements, the method comprising the steps of:

- a) receiving user input indicating one or more source code elements to be selected and one or more data elements to be tagged to one or more selected source code elements (*Col 11, Lines 6-25 and Col 12, Lines 20-35*);
- b) tagging one or more selected source code elements with one or more of the data elements (*Col 12, Lines 7 – 12*);
- c) generating the tutorial application linked to one or more source code files from said tagged source code elements (*Col 11, Lines 6-11*); and
- d) displaying the generated tutorial application, the tagged source code elements and the data elements (*Col 12, Lines 27-34*).

7. As per **Claim 2**, Hennum et al discloses wherein the selected source code elements are tagged by a markup language (*Col 12, Lines 7-12*).

8. As per **Claim 3**, Hennum et al discloses wherein support for one or more programming languages is provided (*Col 5, Lines 60-67*).

9. As per **Claim 4**, Hennum et al discloses wherein support for one or more execution environments is provided (*Col 5, Lines 50-59*).

10. As per **Claim 5**, Hennum et al discloses wherein receiving user input further comprises creating one or more tutorial steps (*Col 4, Lines 46-59 and Col 11, Lines 6-11*) (*The “annotations” meet this claim limitation*).

11. As per **Claim 6**, Hennum et al discloses wherein the data elements comprise an explanation text for the selected source code elements (*Col 4, Lines 46-59 and Col 11, Lines 6-11*) (*The “annotations” meet this claim limitation*).
12. As per **Claim 7**, being the system implementing the method of **Claim 1**, it is rejected for the same reasons as **Claim 1** above.
13. As per **Claim 8**, being the system implementing the method of **Claim 2**, it is rejected for the same reasons as **Claim 2** above.
14. As per **Claim 9**, being the system implementing the method of **Claim 3**, it is rejected for the same reasons as **Claim 3** above.
15. As per **Claim 10**, being the system implementing the method of **Claim 4**, it is rejected for the same reasons as **Claim 4** above.
16. As per **Claim 11**, being the system implementing the method of **Claim 5**, it is rejected for the same reasons as **Claim 5** above.
17. As per **Claim 12**, being the system implementing the method of **Claim 6**, it is rejected for the same reasons as **Claim 6** above.

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18. As per **Claim 13**, being the computer program product loaded into the internal memory of a computer with instructions for implementing the method of **Claim 1**, it is rejected for the same reasons as **Claim 1** above.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a) Dodge et al (US Pat: 5,655,130) discloses a method of producing documentation utilizing markup languages for multiple platforms;
- b) Stern (US Pat: 6,507,855) discloses method and apparatus for extracting documentation from a source code file, tagging said documentation with an explanation of the code, and outputting said documentation to a file;
- c) Halstead et al (US Pat: 6,931,385) discloses a method for offering an interactive software tutorial over a network with support for multiple programming languages and explanations of the displayed code examples; and
- d) Czech (US PGPub: 2003/0037312) discloses a system for documenting user selected symbols in a file containing source code for multiple programming languages.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Pantoliano Jr whose telephone number is (571)

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270-1049. The examiner can normally be reached on Monday-Thursday, 8am - 4 pm EST.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571)272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RP

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11/14/06


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